

REMARKS/ARGUMENTS

Responsive to the Examiner's restriction requirement, Applicant has elected to prosecute claims 1 through 9, 11, 14 through 23, 26 and 27 directed to Specie I designated by the Examiner in the Office Action. Claims 10, 12, 13, 24 and 25 are withdrawn subject to Applicant's right to present such claims in a divisional application.

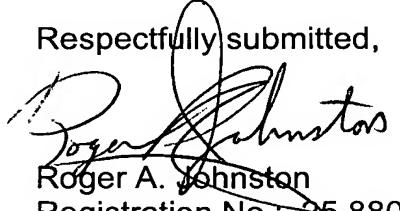
The Examiner has rejected Applicant's claims as obvious over the teachings of the patent to Palvoelgyi in view of the teachings of the '055 patent to Kunz and further in view of the teachings of the patent to Bivens.

The Palvoelgyi patent is the only reference containing any teachings of dampening the movement of a fuel filler tube door; and, this patent teaches a rotary dampening device. The device of Bivens teaches a pneumatic dampening strut for glove compartment doors and is unrelated to the problem of dampening the movement of a flapper door in a fuel tank filler tube. Therefore, the Examiner's proposed combination of the references is deemed arbitrary and not based upon any suggestion or teaching of the references to create such a proposed combination. Thus, the Examiner's rejection is traversed.

The base claims have been amended herein to now recite that the dampening of the fuel filler door movement is accomplished by a piston and tube arrangement thus clearly distinguishes over the teachings of the cited references.

In view of the amendments made hereinabove and for the reasons set forth, it is submitted that the claims now define patentable subject matter and withdrawal of the Examiner's rejection and allowance of the amended claims is requested.

Respectfully submitted,


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